

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL CASE NO. 1:12cv08

UNITED STATES OF AMERICA,)
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)
)
vs.) O R D E R
)
)
)
\$28,182.00 IN UNITED STATES)
CURRENCY.)
)
_____)

THIS MATTER is before the Court on the Government's Motion to Strike and Dismiss the Claim of and for Entry of Default Against Claimant Artie Smith [Doc. 12].

In its Motion, the Government seeks the dismissal of the Claim of Artie Smith ("Claimant") on the grounds that the Claimant failed to file an Answer. [Doc. 12]. Upon referral from this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, held a status conference regarding this matter on August 14, 2012. At that hearing, the Magistrate Judge, with the consent of the Government, granted the Claimant an extension of time until August 28, 2012 to file an Answer. [See Minute Entry, Aug. 14, 2012 Hearing]. The Claimant filed his Answer in accordance with the Magistrate

Judge's directives on August 28, 2012. [Doc. 18]. Accordingly, the Government's Motion is now moot.

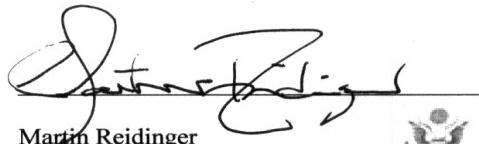
IT IS, THEREFORE, ORDERED that the Government's Motion to Strike and Dismiss the Claim of and for Entry of Default Against Claimant Artie Smith [Doc. 12] is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that that the parties shall conduct an initial attorneys' conference within fourteen (14) days of the entry of this Order and shall file a Certificate of Initial Attorneys' Conference within seven (7) days thereafter.

The Clerk is respectfully **DIRECTED** to send a copy of this Order to the Claimant's address of record.

IT IS SO ORDERED.

Signed: August 30, 2012



Martin Reidinger
United States District Judge

